

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

EFD SPORTS, LLC,
Plaintiff,

v.

BALLY'S CORPORATION,
Defendant.

CIVIL ACTION NO. 4:24-CV-87-SDJ

**JOINT MOTION TO EXTEND DISCOVERY, DISPOSITIVE MOTION, AND
MEDIATION DEADLINES**

Plaintiff EFD Sports, LLC (“EFD”) and Defendant Bally’s Corporation (“Bally’s”) file this Joint Motion to Extend the Discovery, Dispositive Motion, and Mediation Deadline contained in the Court’s Order dated March 2025. [ECF. No. 47]. In support of this motion, the parties state as follows:

The parties have engaged in initial discovery but are unable to complete discovery until after the substantive claims to be pleaded are established. Plaintiff has filed two motions to amend its pleading in this case; its most recent motion seeks to add three individual defendants. [ECF Nos. 18 and 28]. Defendant has moved to dismiss the Plaintiff’s First Amended Complaint and opposed both of the motions to further amend the pleadings and to join additional parties. [ECF Nos. 12, 25, and 29]. The parties have exchanged initial disclosures, including documents they believe are relevant, but additional written discovery and depositions depend on a determination of whether any claims survive the motion to dismiss and, if so, what claims and parties are subject to such discovery and claims.

Both Parties have designated experts and briefed the objections to Plaintiff's expert witness filed by Defendant. The current deadline to complete discovery is June 16, 2025. The deadline for dispositive motions is June 30, 2025. The deadline for mediation is July 14, 2025. The Pre-Trial Conference is currently set for December 17, 2025, with a trial date to be set between January 5, 2026 and January 30, 2026.

The Parties request the Court to extend the discovery deadline to **October 6, 2025**, the dispositive motion deadline to **October 27, 2025**, and the mediation deadline to **November 14, 2025**. These extensions are not sought for delay, and the remaining deadlines on the Court's governing scheduling order and trial date will not be impacted by the extension requested above.

The Parties do not wish to extend the trial date in this case with this request.

WHEREFORE, the parties jointly request the Court extend the deadlines as requested herein to allow the Court an opportunity to address the pending motions and a short period thereafter for the parties to engage in any additional discovery, including necessary depositions, and trial preparation needed. The proposed extensions are designed in an effort to not delay the ultimate resolution of this case or ability to comply with the other deadlines established in this Court's existing Scheduling Order.

Respectfully submitted,

/s/ Donald M. Kaiser Jr

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ATTORNEY FOR DEFENDANT

BALLY'S CORPORATION

CERTIFICATE OF SERVICE

I certify that on this 15th of May 2025, a true and correct copy of the foregoing was served on all counsel of record pursuant to the Federal Rules of Civil Procedure.

/s/ Donald M. Kaiser Jr.

Donald M. Kaiser Jr.